

Taft (Alpha)

ADDRESS

DELIVERED ON THE OCCASION OF THE

OPENING

OF THE

CINCINNATI HOUSE OF REFUGE,

IN THE

CHAPEL OF THE INSTITUTION, OCTOBER 7, 1850,

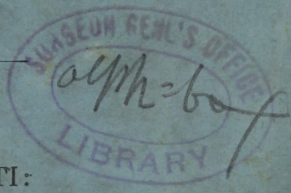
BY ALPHONSO TAFT, ESQ.,

PRINTED BY ORDER OF THE BOARD OF DIRECTORS.

CINCINNATI:

PRINTED BY WRIGHT, FERRIS & CO., GAZETTE BUILDING.

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OFFICE, HOUSE OF REFUGE,
Cincinnati, Dec. 16, 1850.

EXTRACTS FROM THE MINUTES OF THE BOARD OF DIRECTORS:

Oct. 10, 1850.—Resolved, That the President of this Board be, and he is, hereby, requested to solicit from A. TAFT, Esq., for publication, the interesting Address he delivered at the opening of the House of Refuge.

Nov. 28, 1850.—The President presented the following Correspondence, together with a copy of the Address delivered by A. TAFT, Esq., on the occasion of the opening of the House of Refuge.

A. TAFT, Esq.

DEAR SIR: I am instructed by the Board of Directors of the House of Refuge, to ask from you a copy of your very appropriate and interesting Address, delivered at the opening of said Institution on the 7th day of October last.

I am, very respectfully,

Oct. 30, 1850.

Your obedient Servant,

THOS. J. BIGGS.

Cincinnati, Nov. 11, 1850.

DEAR SIR,

Agreeably to the request of the Board, I hand you a copy of the Address for publication. I shall be happy indeed, if, when printed, it is found to merit the favorable opinion, you have so kindly expressed of it.

Very respectfully,

Your obedient Servant,

ALPHONSO TAFT.

Rev. THOS. J. BIGGS,

President of the Board of Directors of the Cincinnati House of Refuge.

Resolved,—That three thousand copies of Mr. Taft's Address, and the Correspondence relating thereto, be printed in pamphlet form.

WM. LEUTHSTROM, Secretary.

ADDRESS.

The opening of this HOUSE OF REFUGE, will form an era in the history of the public institutions of Cincinnati. She has long since provided a hospital for the sick, and has reared asylums for her orphans. Such charities are incumbent upon a great and growing city in a Christian republic.

She has also, at vast expense, provided for her people, schools, with spacious houses, efficient and faithful instructors, and the inducements to the acquisition of useful knowledge. Whatsoever parent desires for his children education in the useful branches of learning, and whatsoever child desires instruction, whether he be poor, or rich, can find it in Cincinnati, "without money and without price." Such has been, and now is, the enlightened policy of our city in behalf of the sick, the fatherless, and the poor. For these, and like institutions, her citizens have ever been willing to bear the heavy burdens of taxation. As much as other cities of our country are distinguished for the excellence of their free schools, and as much as they may excel Cincinnati, in wealth and power, in her provisions for popular education, she may bear an honorable comparison with the best.

The truly charitable character of these institutions, is not impaired, by the fact that they are, also, founded upon the soundest public policy. The prevention of crime, is undoubtedly an important and leading consideration in the mind of the political economist, for the establishment of common schools; and in that one consideration, he finds ample justification for the universal contribution which property is compelled by

law to make to this purpose, in the form of taxes. But the municipal government, in the establishment and support of schools, also, stands forth, as an enlightened benefactor, providing wholesome intellectual food for all, and inviting all, freely to come and partake of her abundance. Her citizens point with just pride to their numerous and appropriate edifices, devoted to the education and discipline of the children of all the people. May they long be proud of these evidences of their liberality and intelligence, and of their sons and their daughters who are educated in them.

But this noble system, is not complete, while there are found children, who, whether by the neglect of their parents and guardians, or by their own perversity, are deprived of its advantages. As to this large class of children, our common schools have utterly failed to accomplish any valuable purpose. They, are not formed to restore the lost character of those who are already depraved. Their province, is, to instruct and improve those, whose characters are adapted to instruction and improvement; not to *reform* those, whose evil propensities have become predominant, and cannot be restrained by their parents and friends.

Hitherto, our municipal government has, by rearing her system of schools, performed the part of a bountiful benefactor. Her language has been, "Whosoever will, let him come," and receive instruction. But now, by adding to that system, this School of Reform, she assumes the language of parental authority, and commands, even the unwilling, to accept her liberality. Heretofore the government has proceeded upon the practical assumption, that where she has opened her schools, and made them free to all, her duty has been performed; and that they who refuse instruction, must go their own way, though it lead to perdition. For the government to constrain a child of a freeman, against his will, to do what all know to be right and best for himself, as well as the public, has been thought an unwarrantable abridgement of youthful, republican liberty.

Our object, in the establishment of this institution, is,

to follow after the youth who has broken away from the usual restraints of society and law; and, instead of leaving him to an unrestrained course of crime, or consigning him to the company of those who are degraded beyond hope of reform, to constrain him to forsake his depraved habits, and be taught that which is useful and good.

This occasion is honored with the presence of the members of the Court of Common Pleas, the Prosecutor, and the Grand Jury, of the County, and the Mayor of the City. Under the law, and in the course of events, it will soon devolve upon some of them to decide between sending hither, the children who may be arraigned and tried before them, and consigning them to the jail of Hamilton county. None can better appreciate the importance of this institution, than they, who have been called upon to administer the criminal law, in its application to the young, where there was no such alternative as this. While their presence, therefore, is welcome to the Board of Directors and officers of the institution, who are to act hereafter, to some extent, under their supervision, it will also be satisfactory to themselves, by furnishing them some evidence, upon which they may determine, whether the jail, or this house, are to be preferred as a place of confinement for youthful offenders.

We welcome, also, the members of the Common Council of the city, from whose hands we now receive these buildings, dedicated to the cause of youthful reform; and congratulate them upon the arrival of that long wished for period, when the public, as well as themselves, can look for immediate benefits to the city, from their deliberations, and labors, on this subject.

The first House of Reformation in this country, was established in New York City, twenty-five years ago. Those of Philadelphia, and Boston, were established soon after. But their example has not been followed so extensively as we might well have expected, from the distinguished success, which has attended those institutions. One of the municipalities of New Orleans has recently put in operation, on a limited scale, an in-

stitution of the kind, under an act of legislature of 1847. It commenced, however, with an inadequate, frame building, which was not sufficient to secure the inmates from escape, and which has recently been burnt. But it is nevertheless in operation, with from forty to fifty inmates, and bears unequivocal testimony in favor of the efficiency and usefulness of the system. Baltimore, has yet to establish a House of Refuge, and in the West, this house of ours, stands alone. But the people of Baltimore are now moving on the subject, and several of our western cities are also taking measures to follow our example. It becomes Ohio, as the most populous, and powerful, of the western states, to lead the way in works of enlightened benevolence; and it well becomes Cincinnati, as the chief of her cities, to be awake to all the improvements of the age.

Five years have elapsed since the first act of the legislature was passed, authorizing the erection by Cincinnati, of Houses of Correction and Reformation. The original act of 1845, was prepared by the late REV. JAMES H. PERKINS, whose zealous and truly benevolent efforts in the cause of humanity, are entitled to especial mention on this occasion. When others were too deeply absorbed in their private avocations, to perceive the public necessity that existed for such an institution, he was exhorting his friends and those with whom he had influence, to commence without delay the good work of providing a Refuge for those youthful delinquents, who, though early in the road to ruin, were yet fit subjects for reform. The mind of Mr. PERKINS, dwelt much upon plans of practical philanthropy; and in the beginning of this enterprise, before there was a charter; before there was an association; before the scheme had enlisted numerous advocates, he, acting in concert with the few philanthropists of our city, whose attention had been awakened to the subject, gave the first necessary impulse, that has been followed by all the important results, which we now contemplate with so much pleasure. But, there were others also, without whose steady support and encouragement, the project would have failed, who still live to render important aid in carrying it forward.

In the summer of 1845, the City Council wisely determined to let the first expenditure for the House of Refuge, be made in obtaining information concerning the past success, and present condition of like institutions in this country, and of the most successful plan for establishing and conducting them. For this purpose, they delegated W^M. McCAMMON Esq., one of their number, to visit the Houses of Refuge then in operation, and to collect facts and documents on the subject. He made a tour of inquiry, visiting and examining the institutions of the kind, and submitting to their several superintendents a series of written inquiries, to which he received the most kind and satisfactory answers from those gentlemen, also in writing. From these and other authentic documents, and from his own personal observations, he made, and presented to the City Council, in August, 1845, a practical report, which has aided and guided the Council, and the Committees, in forming, and in carrying forward their plans to completion.

The selection of a site, was the subject of the most earnest reflection and discussion among the friends of the institution. Cincinnati was surrounded with so many beautiful localities for public institutions, as well as for private residences, that, at one period, there seemed little prospect of any agreement among the friends of the enterprise. So great was the rivalry of the numerous lots offered for the consideration of the City Council, that the question was undecided for more than two years. Their attention was first directed to the lot on the hillside below the reservoir of the water works, which was already the property of the city. But opinions were divided as to its eligibility, and upon more mature deliberation, the City Council determined that a country location should be preferred. Soon after, WILLIAM BURNET, Esq., with a generosity that will not be forgotten by the friends of the institution, donated for this object, five acres of valuable land adjacent to the city; and, at the same time, offered to sell an adjoining lot of five acres for a very moderate price, providing only, that the ten acres should either be used for the purposes of a House of Refuge, or, that when sold, the proceeds should be applied to

the same purposes. This donation and liberal offer, were accepted. The land was handsomely situated on the northern part of Mount Auburn, and was at that time generally supposed to be the most eligible location for the institution, that could be found. Upon further exploration, however, and upon a comparison of opinions, the ground, upon which the building now stands, was finally preferred, and a purchase of ten acres, was effected from the late JOSEPH R. RIDDLE. All minds seemed at once to concur in ratifying and approving the selection, and the land received from Mr. BURNET, was left on hand,—a spare lot, to be disposed of hereafter, for the benefit of the institution.

The principal reasons for abandoning the location on Mount Auburn, were, first, the supposed difficulty of access to it, on account of its elevated position;—and secondly, that there could be found no adequate supply of water. All who are most conversant with the subject agree, that an abundant supply of pure water, is of the highest importance to the successful operation of an institution of this kind. What might have been the result, if the buildings had been erected on Mount Auburn, it is not now important to inquire. The present location, while it is scarcely less beautiful than that, is recommended by its convenience to the city, and the easy access to it, and by the never failing and abundant supply of water. The level of the surface of the Canal, which skirts the lot on the East, is considerably elevated above the ground on which these buildings stand, and the water can be freely and conveniently used for the purposes of the institution. I will not, however, attempt to assign all the reasons which led the Committee of the City Council to the final adoption of this location. They devoted much time to the subject. They explored the country in all directions from the city, with a patience and fidelity, which entitles them to the especial thanks of the community. It is well known that the duties of that Committee were difficult and onerous, and it is their only reward, that they rendered most important services to the public, and that that public appreciates the value of their labors.

In the meantime, a sufficient sum of money had accumulated in the Treasury, by the taxes which had been levied for the purpose, to enable the City Council to carry on the work with a good degree of energy and dispatch. Plans and specifications were prepared by the late HENRY WALTER, who was the chosen architect and superintendent of the buildings. The contracts were given out, the foundations were laid, and the construction of the massive walls around this spacious lot, and of these edifices, was commenced, and has been carried steadily forward to completion. Whoever has surveyed the extensive lines of solid masonry that encompass the grounds, and the strength, and capacity, and durability, of the buildings, will not murmur, at the time occupied in their erection. For the appropriateness of the design, for the neatness and grandeur of the front and lateral elevations, and for the convenience of all the arrangements, we are indebted to the architect, the late MR. WALTER, who projected the plans, and while he lived, devoted himself with the greatest assiduity to the execution of them. But he was not permitted to behold the full development of his architectural designs. He survived only to see the foundations laid, and the walls carried to the second story; when the superintendence passed into the hands of his successor, MR. FIFIELD, who has faithfully executed the original plan, and has also made some additions to the internal arrangements.

High credit is also due to the intelligent Committees of the City Council, who have had this subject in charge since the location was fixed, and who have perseveringly adhered to the original plan, of having this house built and finished in a style at once simple, and durable, and useful. Nor can I, with justice, omit to mention on this occasion, the acknowledged fidelity and skill, with which the mechanics have discharged their obligations, both in regard to the workmanship, and the materials of the buildings.

The financial affairs of our institution, I will explain in a few words. The monies, to establish and support it, are raised, and to be raised, by the city of Cincinnati, in its corporate capacity, with the exception of the amount of \$2,220, which

has been raised, by individual voluntary subscriptions, and about \$600 of subscriptions now due and unpaid, and a list of a hundred subscribers, who have engaged to pay, each, five dollars per annum. With these small exceptions, the entire cost of the House of Refuge has fallen, and will hereafter fall, on the city of Cincinnati. The cost of the ground and the improvements, made ready for the reception of inmates, will vary but little from \$150,000. This, the city has undertaken to raise by direct taxes, without resorting to the issue of bonds. The first levy for this purpose, was made in the year 1845, which produced \$8,000. In each of the two succeeding years \$9,500 was raised; in 1848, \$19,082; and in 1849, \$20,760. These sums, together with the monies raised by subscriptions, as above mentioned, amount to \$70,241. The expenditures for the improvements have risen to about \$120,938, or to an amount exceeding the sum hitherto raised for the purpose, by \$50,000. This deficiency has been supplied by temporary loans, so that the contractors have been paid as the work has progressed, reserving only such amounts as were deemed sufficient to secure the faithful performance of their contracts. The levy of the present year for this purpose is one and a half mills, and will produce not far from \$66,000. The sum now levied, with that already raised, will amount to about \$136,000. In addition to this, the city holds the ten acres of ground on Mount Auburn, received partly by gift, and partly by purchase, from Mr. BURNET, which may be rendered available for the purposes of the institution, by sale, whenever the city shall so determine. This ground is variously estimated at from \$15,000 to \$30,000. But, if we take the prices of ground which has already been sold in the neighborhood for building lots, as our guide, its value cannot be less than \$20,000. From this statement, it appears that the amount of funds devoted to this great purpose, is sufficient to launch the institution, and leave it unembarrassed.

Of the cost of maintaining the establishment hereafter, we have only the experience of others to go by, and cannot speak with much certainty. Until, however, additional buildings

shall be found necessary, and after the whole edifice is completely finished and furnished, we may hope, that the annual expenses will not average above ten thousand dollars. So that instead of the tax of one mill and a half on the dollar of the grand levy of the present year, for this purpose, one-fourth of a mill will be quite sufficient after the year 1851, to meet the current annual expenses of the institution.

When we consider, that the city of Cincinnati is at the same time erecting a poor house at great expense, upon a valuable farm recently purchased for that purpose, and that the levy for the present year, on that account, is one and one-fourth mills, or \$55,000; and remember that the tax, for the support of the schools and building of school houses, is two mills, or \$92,000; and that the levy by the Township Trustees for the maintenance of the poor, is also a mill and a quarter, or \$55,000; we shall be satisfied, that the taxpayers of Cincinnati will have something to do, for the present year, at least. The levy of this current year, for these three noble charities, the House of Refuge, the Poor, and the Common Schools, has swelled to the total of \$268,000. This sum, when added to the vast sums now annually expended for the improvements of streets and sewers, and for the fire department, and the other necessities of a fast growing city, like Cincinnati, loads down the grand levy with a rate of taxation, which none but a very prosperous people could bear.

It is not usual for Municipal Corporations, to make such extraordinary expenditures of money without the aid of permanent loans, the effect of which is to equalize the first cost of improvements between the present, and future generations. Probably there is no city, of the population and age of Cincinnati, which has constructed so many, and so expensive public works, in so short a period, and paid for them, principal and interest, by the current taxes. Other cities, having grown with less rapidity, have not had occasion for the establishment of so many charitable institutions, in so short a space of time, as has Cincinnati. It is not half a century, since Cincinnati was known as a city. Already has she reached nearly the population

of Boston, a city of two hundred years, and requires all the public institutions which are required by that city. The population, and the capital, of Boston, and of Philadelphia, and of New York, are the accumulations of two centuries of time; and their public institutions, of which they now boast, and which we are striving to emulate, are the work of many generations of men.

Here, let us pause for a moment to inquire into the causes which are to furnish inmates for this institution. These children are unfortunate, rather than criminal. Thousands of boys and girls, now well behaved and lovely, would have been no better than these, if placed in the world under the same influences as they. Their sins are not the product of a nature, worse than that of the majority of human beings, but, of those cruel circumstances, which it is the object of the institution which we have now founded, to meliorate and to change.

A fruitful source of delinquency in children, is the neglect of parents. It is not necessary, that I should attempt to sketch the progressive history of these unfortunate youth, who, through the want of the advice and attention of parents, have, by degrees, departed from the path of virtue and integrity, and become fit subjects of reformatory discipline. The momentary relief which hunger finds by an act of petty theft, is not the subject of reflection to the child who has no provident parent on whom to rely against want. This, though wrong, is not deliberate crime. The law may, indeed, regard it as identical with the theft of the man of matured intellect and heart, but in the eye of natural reason and of justice, it is totally different.

Another fruitful source of ruin to the rising generation, is, the want of family government. This, is a characteristic of our times and country. Hence, comes the profligacy of the youthful expectants of patrimonial estates. Hence, have sprung that numerous and well known race of "third generation men," who, having wasted the wealth of their grandsires with riotous living, have afterwards yielded to criminal temptations. If there were not parents, who are too careless of the interests of their own offspring to encourage them in the improvement of

the privileges so freely provided for all—and, if there were not other parents, who, though sufficiently anxious for the welfare of their children, are wholly destitute of *parental authority*, few indeed would become wayward, worthless, and criminal. Some, fearing lest by necessary severity the spirit of their children should be broken down, have suffered them to go unrestrained, until the public authorities have been compelled to restrain them.

While the ambitious fathers and mothers of this enlightened age, are felicitating themselves and their friends upon the discovery of new and easy methods of controlling their hopeful offspring, it often happens that these precious youths, having learned to put on the airs of command, like the fabled Phæthon, have assumed the reins, and are dashing down the broad road to ruin. The interest of parent and child alike demand, that filial obedience shall be maintained. The question, *by what means* it is to be done, is not half so important as the great question, whether it is *done at all*. The wise man hath said, “Chasten thy son while there is hope, and let not thy soul spare for his crying.” Whether the parent govern in the way recommended by King Solomon, or by smiles, and gifts, and the other arts of parental kindness, *govern* he must, if he would not *ruin* his child. Want of family government, therefore, is one source of the evils which this house is designed to remedy.

Intemperance, in the heads of families, adds its long list to the sad roll of youthful delinquents. There are orphans, too, with no inheritance but poverty and ignorance, and with no faithful guardian to warn them against the temptations to which their hard lot has exposed them.

Of *such* are they who are to find a home and a school in this House of Refuge. Hitherto, our city has made no other provision for these unfortunate children, than the common schools, and the common jail. In the former, their influence has contaminated others, and has done much to injure the otherwise excellent character of our free schools. In the latter, their own ruin has been completed, by associating with the worst of criminals. The consequence has been, that in the midst of our

city, has been sustained at public cost, an expensive institution, where these youthful delinquents, who, from different causes, have been drawn away from the advantages of schools and churches, are taught the very science and mysteries of crime, from its lowest to its highest branches—an institution, whose professors are the most expert house-breakers and thieves, whose lectures consist of glowing tales of successful villany; and where crime, with all its fascinations, is ingeniously expounded to the young and curious learners. They become charmed with the heroism of daring and undetected felonies, and when discharged, whether it be in twenty days, or in six months, go forth with bolder and more lawless designs than they had ever before conceived. Such an institution is the County Jail to the hapless youth, who, whether guilty or innocent of offences, great or small, are once confined in it.

Aware of the degrading influences of this county institution, courts have spared many children guilty of minor offences.—It has been judged better, to suffer the mischievous consequences of permitting them to go at large, than to consign them to certain infamy, by confinement with old and irreclaimable rogues.

By the law under which this institution is established, it receives no males above sixteen, and no females above fourteen years of age. The past experience of the world in prison discipline has shown that reformation, to be successful, must in general be commenced at ages not greater than those to which the law has limited the privileges of this institution. The expense and effort bestowed upon criminals of more advanced ages, with a view to reformation, is generally wasted. The character having become thoroughly corrupt—*stereotyped*, with criminal thoughts and purposes, cannot again be made pure and innocent. There is, undoubtedly, considerable difference between different individuals in this respect. In some institutions of this kind, therefore, a discretion has been left, either to the courts, or to the managers, to take some above, and exclude some below the general limits before mentioned; but our legislature have thought it safest to fix that as a limit, which should, in most cases, best divide between those who are reclaimable and

those who are not. Human discretion is not infallible, and it may be a question, whether, if the selection of the inmates was left absolutely to judicial discretion, the magistrates, or the managers, would not be more frequently mistaken in their estimate than the law is, which decides inflexibly by the age.—No *one* institution can supply the entire wants of every class and age of criminals, and it will be no good ground to complain of *this*, if there should be some excluded who might be saved; for if a rule were adopted which should include all who might possibly be reclaimed, it would also include so many who are past recovery, as to seriously injure, if not destroy its beneficent influence upon the minds of those, who might otherwise be restored to usefulness. The observation and experience of a skillful and intelligent superintendent, and of faithful managers and teachers, will soon determine whether the present legal rule on this subject can be improved by amendment.

The modes, by which boys and girls are to be admitted and placed in this institution, are two. The first is, that provided in the second section of the amendatory act of 1847, viz: "That any male under sixteen, and female under fourteen years of age, who shall, under existing laws, or those hereafter enacted, be liable to confinement in the county jail of the county of Hamilton, may, at the discretion of the Court, or Magistrate giving sentence, be placed in said House of Reformation, and when so placed, shall be, until of legal age, under the exclusive control of the Directors of said house, according to the regulations hereinafter provided; and may by them be apprenticed in the usual manner, or, with the written consent of the Court or Magistrate that gave sentence in the case, be discharged."

This section of the law, seems to contemplate a trial and a conviction of the offender, before the Court can send him, or her, to the House of Refuge. As the object of this institution is, to reform and instruct, as pupils, and not to punish, as criminals, its inmates, it is doubtful whether a judicial trial and conviction, and sentence of the youthful offender, may not have a depressing influence upon his mind and prospects, and

take away one important motive, by which we hope to raise him to the standard of an upright and respectable person. If we cannot remove, "the slow, unmoving finger of scorn," which ever points at the recorded convict, whether old or young, we shall have reason to fear, that our work will not be perfect.

It was from an apprehension of the ill effect that might result from the trial and conviction, that the fourth section of the law provides, "that all males under sixteen, and females under fourteen years of age, who may be accused of any crime or misdemeanor, punishable by imprisonment, shall be entitled to a private examination and trial, to which only the parties to the case shall be admitted, unless one of the parents or guardians, or their legal representatives, demand a public trial, in which case all proceedings shall be in the usual form." This section, obviates, in part the objection. There yet remains, however, the judicial trial, conviction, and sentence, for crime. It seeks to conceal, but does not remove the indelible record, of the fact, that twelve men, or a Court, have tried this person, of whom we hope to make an honest and a respectable man, and have found him guilty of crime. This part of the law, seems to proceed upon the idea, that confinement in the House of Refuge is a legal punishment, and that before a child can be subjected to it, he must be tried by a Court and jury, and found guilty of crime. Some have supposed, that if a Court were allowed to hear the evidence, and instead of finding the accused guilty of crime, to find that he was a fit subject for the discipline of the House of Refuge, and send him there without any recorded conviction, the constitution would be violated, which secures the right of trial by jury. This, however, is, by no means, a necessary conclusion. However much the child may deserve punishment, and however solemnly he may have been convicted of crime, it is not, to *punish* him, that he is sent to the House of Refuge. The object is rather to avoid the necessity of punishment, by producing reformation. Such, too, is the view which has been taken of the Philadelphia institution, by the Supreme Court of Pennsylvania, where the question arose

several years since. The language of the Court in that case, was so clear and so pertinent, that I will venture to cite from the opinion, a paragraph. The charter of that institution, allowed the sending accused parties to the Refuge, on an order of the Court, without any legal conviction of crime. In one case, a habeas corpus was applied for, on the ground, that the law was unconstitutional, in dispensing with a jury. The language of the Supreme Court of Pennsylvania on that point, was as follows, viz :

“The House of Refuge is not a prison, but a school ; where reformation, and not punishment, is the end. It may indeed be used as a prison for juvenile convicts who would else be committed to a common jail : and in respect to these, the constitutionality of the act which incorporated it stands clear of controversy. It is only in respect of the application of its discipline to subjects admitted on the order of a Court, a magistrate, or the managers of the Almshouse, that a doubt is entertained. The object of the charity is reformation, by training its inmates to industry ; by imbuing their minds with principles of morality and religion ; by furnishing them with means to earn a living ; and above all, by separating them from the corrupting influences of improper associates. To this end, may not the natural parents, when unequal to the task of education, or unworthy of it, be superceded by the *parens patriæ*, or common guardian of the community ! It is to be remembered that the public has a paramount interest in the virtue and knowledge of its members, and that of strict right, the business of education belongs to it. That parents are ordinarily intrusted with it, is because it can seldom be put into better hands : but where they are incompetent or corrupt, what is there to prevent the public from withdrawing their faculties, held, as they obviously are, at its sufferance ! The right of parental control is a natural, but not an unalienable one. It is not excepted by the Declaration of Rights out of the subjects of ordinary legislation ; and it consequently remains subject to the ordinary legislative power, which, if wantonly or inconveniently used, would soon be constitutionally restricted, but the competency of which, as the government is

constituted, cannot be doubted. As to abridgment of indefeasible right, by confinement of the person, it is no more than what is borne, to a greater or less extent, in every school; and we know of no natural right to exemption from restraints which conduce to an infant's welfare. Nor is there a doubt of the propriety of their application in the particular instance. The infant has been snatched from a course which must have ended in confirmed depravity; and, not only is the restraint of her person lawful, but it would be an act of extreme cruelty to release her from it." *Supreme Court Pennsylvania, Dec 7th., 1838.*

This is undoubtedly a correct decision, and a just view of the whole subject. We are to regard this institution, as a school of instruction and discipline, which is intended to supercede punishment, and render it wholly unnecessary in the case of children, within the ages prescribed by the charter. We are by this House of Refuge, adding one, to our numerous institutions for the education of children. If, therefore, evidence were exhibited to a Court in private, or in public, such as to show that the accused was of the proper age, and of such a character as to render him a proper subject for the Refuge, it should be in the power of the Court to say so, and by the parental authority, derived from the Government, to send him to this appropriate school, where he can be properly educated in mind and in morals. There exist strong reasons for allowing Courts a discretion, by which they can in proper cases, dispense with the judicial trial, and conviction, and condemnation. Whether these reasons will be found sufficient to induce an amendment to that effect, hereafter, remains for experience to decide.

But this objection is chiefly removed by the fourth section of the act, which provides *the Second mode*, of placing children in this institution, viz.: "That the Directors be authorized to receive children, whose parents or guardians, or the Township Trustees, shall represent them as proper subjects for said House." "And in all cases, when received, said minors shall be under the entire control of the Directors of said House." Whenever therefore, the delinquent child has a parent, or a guardian, or the

Township Trustees, to make the requisite representation, the trial, whether public or private, can be avoided. The only ground of apprehension is, that parents and guardians may sometimes, from a misapprehension of the character of the institution, or of the child, be induced to resist, instead of assisting to place it in the School of Reform, so that the case will come before the Court and Jury, in whom the law has placed no discretion, and where a conviction and condemnation is inevitable. There may also be cases, where there will be neither parents, nor guardians, to make the requisite representation, and where even the Township Trustees may neglect to interfere. Yet it is probable, that by the interposition of friends, and the judicious advice of the Court, it will result, in practice, that the candidates for the Refuge will generally find their way thither, without the disgrace of a judicial trial and conviction.

It is another provision of our charter, that all children arraigned and held for crime are to be committed to this House, instead of the jail, to await their trial. There are several particulars in which our charter can probably be improved by amendment, and which will claim the early attention of the friends of the institution, and the Legislature. But I will not longer detain the audience on this part of the subject.

When once within the walls of this asylum, from the ills that beset childhood and youth, they are to find friends in the officers of the institution. The city herself, through her agents, becomes the watchful parent of these neglected children. How could the parental authority of the municipal government be better, or more beautifully exercised!

This relation, thus began, can be terminated, by a discharge from the Board of Directors, or by an indenturing to apprenticeship. The authority of the Directors, subject to these contingencies, continues to majority. Nor does the relation altogether cease, by the contract of indenture. For, if the reformation, which was supposed to be radical and complete, should turn out to be apparent only, and the child should prove unfaithful to his master, he may be returned to the Refuge for further

lessons of discipline and instruction. Nor does the watchful eye of the public, through her agents, lose sight of these children, till they are successfully and happily settled in life. Experience has shown that these unfortunate children, whose natural parents or guardians have neglected or deserted them, have, when once in the Refuge, been cherished by the officers and friends of the institution, with affection and tender regard throughout their career. They are never more without friends in the world; true and trusty friends to counsel and to aid them. They are henceforth, to have hope and encouragement. Their prospects are flattering. Business offers to them, not less than to others, its many inviting ways to respectability, usefulness, and wealth. Good motives, which had before lost their power upon their minds, are now all renewed and re-enforced. It would seem, that in some cases they pursue their reformed and upward career with the greater alacrity, from a vivid consciousness of the deep ruin from which they have escaped.

This institution is not an experiment. The experience of New York, and Philadelphia, and Boston, for the last twenty-five years, has proved beyond controversy, the uniform success that may be expected from Houses of Refuge. It has been found that a reformation can generally be effected in a single year, or at most, in eighteen months after the child is received. It is then prepared for indenturing. These children are usually placed in the country, away from those haunts of wickedness and folly where they first learned to go astray. Rural pursuits have been found best suited to insure a permanent reform. It is cheering to know, that in the institutions of this character which have been established, three-fourths of those who have been received as inmates, have been thoroughly reclaimed and made useful members of society. The ratio between those who are reclaimed, and those who are not, might be stated still stronger than this. It appears that where the managers and officers of the institution have the entire control over them, nine-tenths of all, are saved. But, by the interference of imprudent or vicious parents and friends, the reforming power of

the institution has, in some instances, been defeated. With all disadvantages, however, three-fourths have been rescued from the yawning destruction that awaited them. Nor can we doubt that of these same children, who have been thus saved, ninety-nine hundredths would have been lost to their country and the world, without this beneficent school.

How striking the result! To change, reform, regenerate, three of every four of those who had otherwise been doomed to irredeemable ruin!—those who were callous against all instruction or reproof,—upon whom the community had been accustomed to look with many regrets, but with no hope of reformation,—whom neither father nor mother had influence to restrain or control. All the means that had been tried or invented, had failed to arrest them in what seemed their destined course of shame and crime. But the Houses of Refuge came, and changed that fearful destiny. Those young hearts, which had become prematurely hardened to the temper of adamant, were taught repentance and humanity. Those young minds, which had been prematurely wedded to ignorance, and vice, and crime, became docile, and received instruction, and acquired useful knowledge and character.

The time is not far distant, when a school of reform, such as this, will exist for the benefit of every populous community. Instead of being limited in their influence, to cities, these institutions will extend their blessings to the whole State. They will be regarded as an essential part of the system of public education and discipline, and will be sustained upon the same principles as the free schools, by general taxes, levied upon the property of the people. The law requires, that the property of a citizen shall be taxed, not only to educate his own children, but the children of others also; and this is upon the principle that the public derives a benefit from it. Perhaps the most decisive test, of the public benefit conferred upon the community by the Common Schools, is their tendency to prevent and diminish the commission of crime. That the man with children, but without property, is more directly benefitted by the tax levied for school purposes, than others, is not a reason why

the levy should not be made. The education of the poor man's children, is none the less a blessing to the community in which they live, because they are, individually, the recipients of a public bounty. Tax payers can no more complain of the contributions drawn from them for the education of the children of others, than they can of the taxes levied for the support of jails and penitentiaries, in which, neither their own children nor themselves need to be confined, but without which, nevertheless, neither themselves nor their children, would be safe from the depredations of crime. Houses of Refuge, stand upon the same principle, and may be regarded, *as an essential part of an enlightened and practical system of Common Schools.*

We may, therefore, fairly consider, that a most important part of the great plan of popular education, has been hitherto neglected in the West. It is incumbent on the intelligence and benevolence of the present generation of our city and State, to supply this defect. The general school laws provide for the education of all the children who are *willing* to receive it; but for those who are *unwilling* to profit from instruction, and from whom we have most to fear, they have made no provision. I doubt not that the time is at hand, when every intelligent, liberal, and free government, will come up to its duty, as the *common parent* of all its people, and make provision for the education and discipline of both the willing, and the unwilling; and when the law will not hesitate to compel the acceptance of its proffered blessings, upon those who blindly refuse them. Nor will the political economist want good grounds, upon which to justify such parental legislation. Let us rejoice, that we now behold in these edifices, a pledge, that Cincinnati has undertaken to perform her duty, to this long neglected class of her children.

But let us consider what would be the result of the system of reform schools, extended to all parts of the Union. We cannot hope, by our single institution, to attain the results which would follow from such an extension of the plan. We may reform many, if not all, of those who come within our jurisdiction and influence. But Cincinnati is scarce a pin's point on the map, even of the State of Ohio. Though we

should succeed, therefore, in rearing up all the children of our city to industry and usefulness, we should, nevertheless, have on our hands numerous subjects of criminal law, trained to crime in other places. But let Houses of Refuge come into universal use in every state of the Union, and what may we not hope to see accomplished in the great work of preventing crime. Men do not learn to commit thefts and robberies, after coming to years of maturity. The history of the inmates of penitentiaries, shows, that in a vast majority of cases, their first lessons in crime, were learned in childhood and youth. The foundation is early laid, on which the felonious character is afterwards built. If those first indications of delinquency, were met by the restraints and the teachings of the House of Refuge, we have seen that in three cases of every four, a radical reform would be secured. If then, so large a proportion of all the youthful offenders are taken up, and reformed and educated, whence are to come the adult thieves, robbers and house-breakers? And, by thus reducing the number of those who shall become old and hardened in villany, shall we not find it still less difficult to reform the young? It is well known, that the young, are necessary instruments to carry out the criminal purposes of the old, by whom they are taught the arts of fraud and crime.

States, are becoming sensible of the vital importance of these institutions, and are making provision for their support. Massachusetts, has now taken the subject in hand, and no longer leaves to Boston alone, the benefits or the burdens of youthful reform. The Reform School at Westboro', Massachusetts, is a State institution. The State of New York, has recently adopted a similar policy, and now maintains two large and sufficient State institutions of the kind—one at New York city, and one at the city of Rochester—each designed to accommodate one half of the State. These institutions are to be extended, if necessary, so as to meet the demands upon them. Such, it is to be hoped, will soon be the policy of Ohio, and of every other State, in this great Union. We may then expect to see the youth of our nation grow up to usefulness, and our

whole country show a diminished list of criminals, as it shows an increasing census of population. There is no measure for the prevention of crime, and the promotion of industry and uprightness, among the people of this great country, so important as this.

In founding this house, Cincinnati has entered upon a work of reform, for the Great West. Her example will be followed, first by sister cities, and afterwards by States, until every member of this great fraternity of Western States shall have provided a home, and a school, for all its neglected and offending children.

The blessings of this institution will not be confined to our city, or our county. Thieves and felons are not bounded by corporation lines. If we suffer a less number of our children to enlist in the service of crime than heretofore, others, as well as ourselves will feel the relief. So, on the other hand, we are deeply interested in the establishment of similar institutions elsewhere. Wherever else, in Ohio, or in the West, or even in the Union, children are trained up to robbery, they will sooner or later figure in the Queen City of the West. Nothing short of a general system of Houses of Refuge, well sustained, in all the States, will show to what extent crime can be prevented, and reformation effected.

When we reflect how much care and expense has been bestowed in restraining and punishing those who were too old to be reformed, and how much can be accomplished by very limited means to restore young offenders to virtuous and honest courses of life, we may well wonder that so feasible a plan should have been so late discovered, and that when discovered, it has been so slowly adopted. In this vast valley of the West, where are populous cities, rife with all the mischiefs of cities, filled with young as well as old offenders, here stands the only House of Refuge. It becomes us to see to it, that our experience in the reformation of youth shall not be hid. Next to the reformation of the children of our own city, we are interested in that of the delinquent youths of our neighbors.—Rogues, like wild beasts of prey, are never stationary. Their

Home may be said to be among strangers. From city to city they roam, and are ever most successful where they are least known. It is our duty, as citizens of the leading city of the West, to make liberal efforts to inspire the minds of our brethren, of other places within the sphere of our influence, with zeal to accomplish this great measure of prevention and reform.

The mutual interest of cities in the morals and institutions of one another, has greatly increased by the fast growing power of *locomotion*. Once it could be truly said,

“Mountains intervened, make enemies of nations.”

But mountains, and rivers, and seas, and oceans, are not now sufficient to sever and divide one people from another. The improvements of the present day are fast making cosmopolites of us all. All the traveling trades have a wide range. Villany, which has been foiled in one part of the world can soon cross a continent, or an ocean, and make another attempt. It has no bounds to its operations. It can mount the steam, and outstrip the winds in its flights. It is no longer “hemmed in by state lines,” but traverses at pleasure, all countries and all climes.

But I must draw this discourse to a close. The present is an auspicious occasion. The friends of humanity may take courage from it, as an evidence, that the world is advancing in works of enlightened benevolence and charity. The name of Howard, was rendered immortal, by visiting and improving the condition of those who were in prison. Justly was he renowned for his “circumnavigation of charity.” No name is more honored than his, by the lovers of true philanthropy. But how infinitely short did he come, of the noble object which now lies before *us*. He sought to mitigate the cruelty of punishment in prison, by rendering confinement more tolerable. Our object is, to render that punishment itself, unnecessary, and to restore the offender to his country, and his friends. Let then, every person send forth his influence, whatever it is, in favor of Houses of Refuge. Let those liberal citizens, who,

by their encouragement and their subscriptions, secured the adoption of the system here, not be weary of well doing, or satisfied with the important work which has been here accomplished; but let them continue to patronize and encourage it, and its extension to other states, and countries. Let us all use our best efforts to inculcate, here and elsewhere, liberal and true sentiments on this subject. Let us inscribe on our banner, "REFORM AND INSTRUCTION EVERYWHERE TO THE YOUNG;" and then, when in after times, thousands shall have been made good citizens of the republic, through these institutions, instead of wasting their weary lives in prisons, cursing their country, and blaspheming their God, they will lift up their happy voices, to bless that country, which has "snatched them as brands from the burning," and to praise that glorious God, who put it into the hearts of philanthropists, to originate the plan of HOUSES OF REFUGE.

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